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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

GIANLUCA RIZZO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

APPLIED OPTOELECTRONICS, INC.,
CHIH-HSIANG (THOMPSON) LIN, and
STEFAN J. MURRY,

Defendants.

x

Civil Action No. 2:17-cv-05313-LDW-AYS

CLASS ACTION

NOTICE OF VOLUNTARY DISMISSAL
PURSUANT TO FED. R. CIV. P. 41(a)(1)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ OCT 18 2017 ★

x

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

LONG ISLAND OFFICE

PLEASE TAKE NOTICE that, pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff voluntarily dismisses, without prejudice, its claims against defendants Applied Optoelectronics, Inc., Chih-Hsiang (Thompson) Lin and Stefan J. Murry. No defendant in the action has served either an answer or a motion for summary judgment; and a class has not been certified in this action.

DATED: October 17, 2017

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SO ORDERED.

Dated: Central Islip, N.Y.

10/18/17
s/ Leonard D. Wexler

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